

WC 04-222

FCC/MELLON

MAY 28 2004

COLUMBIA

CHARLESTON

FLORENCE

GREENVILLE

Haynsworth  
Sinkler Boyd, PA

ATTORNEYS AND COUNSELORS AT LAW

DOCKET FILE COPY ORIGINAL

May 26, 2004

1201 MAIN STREET, 22ND FLOOR (29201-3226)  
POST OFFICE BOX 11889 (29211-1889)  
COLUMBIA, SOUTH CAROLINA  
TELEPHONE 803.779.3080  
FACSIMILE 803.765.1243  
WEBSITE [www.hsblawfirm.com](http://www.hsblawfirm.com)

DALHI N. MYERS  
DIRECT DIAL NUMBER 803.540.7859  
EMAIL [Dmyers@hsblawfirm.com](mailto:Dmyers@hsblawfirm.com)

**VIA OVERNIGHT DELIVERY**

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
P.O. Box 358145  
Pittsburgh, PA 15251-5145

Ms. Tracy Wilson Parker  
445 Twelfth Street  
Washington, DC 20554

Dear Ms. Dortch:

Enclosed please find a replacement check and a duplicate copy of a Joint Application to Transfer Control of an International and a Domestic § 214 Authorization. Since filing this application on May 12, 2004, we have not had a response from Mellon Bank or the FCC. However, in the interim, we have discovered that our check to cover the filing fee was made payable to Mellon Bank only and not the FCC care of Mellon Bank. We are, therefore, submitting a **substitute check** to cover the Domestic Transfer of Control filing fee in the amount of \$860.00. We have electronically remitted payment for the international application. For your reference, the **original documents, as filed on May 12, 2004, are included in this package**. Please date stamp the enclosed extra copy of this letter and return it to the undersigned via the enclosed pre-stamped envelope.

Should you have any questions regarding this letter or the underlying filing, please do not hesitate to contact the undersigned.

With Best Regards,



Dalhi N. Myers

Cc: Tracy Wilson Parker, FCC

READ INSTRUCTIONS CAREFULLY  
BEFORE PROCEEDING

FEDERAL COMMUNICATIONS COMMISSION  
REMITTANCE ADVICE

Approved by OMB  
3060-0589  
Page 1 of 1

(1) LOCKBOX # 8145			
<b>SECTION A - PAYER INFORMATION</b>			
(2) PAYER NAME (if paying by credit card enter name exactly as it appears on the card) HAYNSWORTH SINKLER BOYD, PA		(3) TOTAL AMOUNT PAID (U.S. Dollars and cents) \$860.00	
(4) STREET ADDRESS LINE NO. 1 1201 MAIN STREET, 22nd FLOOR			
(5) STREET ADDRESS LINE NO. 2			
(6) CITY COLUMBIA		(7) STATE SC	(8) ZIP CODE 29201
(9) DAYTIME TELEPHONE NUMBER (include area code) (803) 779-3080		(10) COUNTRY CODE (if not in U.S.A.)	
<b>FCC REGISTRATION NUMBER (FRN) REQUIRED</b>			
(11) PAYER (FRN) 0010-5842-33			
<b>IF MORE THAN ONE APPLICANT, USE CONTINUATION SHEETS (FORM 159-C) COMPLETE SECTION BELOW FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET</b>			
(13) APPLICANT NAME DANIEL ISLAND MEDIA COMPANY (TRANSFEROR)			
(14) STREET ADDRESS LINE NO. 1 BUILDING 300, SUITE 195			
(15) STREET ADDRESS LINE NO. 2 3715 NORTHSIDE PARKWAY			
(16) CITY ATLANTA		(17) STATE GA	(18) ZIP CODE 30327
(19) DAYTIME TELEPHONE NUMBER (include area code) (847) 277-7308		(20) COUNTRY CODE (if not in U.S.A.)	
<b>FCC REGISTRATION NUMBER (FRN) REQUIRED</b>			
(21) APPLICANT (FRN) 0005076963			
<b>COMPLETE SECTION C FOR EACH SERVICE, IF MORE BOXES ARE NEEDED, USE CONTINUATION SHEET</b>			
(23A) CALL SIGN/OTHER ID	(24A) PAYMENT TYPE CODE CUT	(25A) QUANTITY 1	
(26A) FEE DUE FOR (PTC) \$860.00	(27A) TOTAL FEE \$860.00		
(28A) FCC CODE 1		(29A) FCC CODE 2	
(23B) CALL SIGN/OTHER ID	(24B) PAYMENT TYPE CODE	(25B) QUANTITY	
(26B) FEE DUE FOR (PTC)	(27B) TOTAL FEE		
(28B) FCC CODE 1		(29B) FCC CODE 2	
<b>SECTION D - CERTIFICATION</b>			
CERTIFICATION STATEMENT I, <u>DALHI N. MYERS</u> , certify under penalty of perjury that the foregoing and supporting information is true and correct to the best of my knowledge, information and belief.			
SIGNATURE <u>[Signature]</u>		DATE <u>May 12, 04</u>	
<b>SECTION E - CREDIT CARD PAYMENT INFORMATION</b>			
MASTERCARD _____ VISA _____ AMEX _____ DISCOVER _____			
ACCOUNT NUMBER _____		EXPIRATION DATE _____	
I hereby authorize the FCC to charge my credit card for the service(s)/authorization herein described.			
SIGNATURE _____		DATE _____	

COLUMBIA

CHARLESTON

FLORENCE

GREENVILLE

Haynsworth  
Sinkler Boyd, PA.

ATTORNEYS AND COUNSELORS AT LAW

DALHI N. MYERS  
DIRECT DIAL NUMBER 803.540.7859  
EMAIL dmyers@hsblawfirm.com

1201 MAIN STREET, 22ND FLOOR (29201-3226)  
POST OFFICE BOX 11889 (29211-1889)  
COLUMBIA, SOUTH CAROLINA  
TELEPHONE 803.779.3080  
FACSIMILE 803.765.1243  
www.hsblawfirm.com

May 11, 2004

**VIA OVERNIGHT DELIVERY**

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
P.O. Box 358145  
Pittsburgh, PA 15251-5145

445 Twelfth Street, SW  
Washington, DC 20554

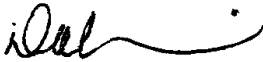
RE: Joint Application of Daniel Island Media Company LLC and Home Telecom, LLC

Dear Ms. Dortch:

On behalf of Daniel Island Media Company LLC ("DIMC") and Home Telecom, LLC ("HOME"), please find enclosed an original and six (6) copies of an application for Commission approval to transfer control of DIMC's section 214 authorizations.

Also enclosed, please find two checks in the amount of \$860 each, one to cover the international filing fee and one to cover the domestic filing fee. Please date-stamp the enclosed extra copy of this filing and return it in the envelope provided. Should you have any questions regarding this filing, please do not hesitate to contact the undersigned.

Respectfully Submitted,



Dalhi N. Myers

Counsel for DIMC

Enclosures

Cc: Tom Hyman, Esq.  
Rich Hoyt, Esq.  
John Bowen, Esq.  
Sylvia Lesse, Esq.  
Frank Mood, Esq.

Applicants respectfully request streamlined, expedited treatment of this Application pursuant to Section 63.12 of the Commission's Rules, 47 C.F.R. § 63.12. This Application is eligible for streamlined treatment under Section 63.12 (a) and (b) because: (i) neither DIMC nor HOME is affiliated with a dominant foreign carrier; (ii) as a result of the transaction, HOME will not become affiliated with any foreign carrier; and (iii) none of the other scenarios outlined in

Section 63.12(c) of the Commission's Rules, 47 C.F.R. § 63.12(c), apply.

**I. The Applicants**

**A. Daniel Island Media Company, LLC**

DIMC is a privately held, South Carolina corporation with its primary headquarters at Building 300, Suite 195, 3715 Northside Parkway, Atlanta, GA 30327. DIMC is a resale-based regional integrated communications provider serving residential and business customers on Daniel Island, Charleston, South Carolina with dedicated local sales and support and innovative fiber- to-the-home solutions tailored to meet customer needs. DIMC offers its customers a variety of regulated and unregulated services, including switched local service, long distance, international long distance, Internet access and cable television service.

DIMC is authorized by the South Carolina Public Service Commission ("SCPSC") to provide local and long distance services at Daniel Island, South Carolina and is also authorized by the FCC to provide domestic and international services nationwide as a non-dominant carrier. With respect to international services, DIMC is authorized to provide resold and facilities-based international services pursuant to authority granted by the Commission in File No. ITC-214-20001010-00593.

DIMC is wholly-owned by Zeist Communications Group, LLC, a Georgia limited liability company, which is, in turn, owned 50% by the Estate of George W. Brumley, Jr. and 50% by the Estate of Jean S. Brumley. The sole beneficiary of their estates The Zeist Foundation, Inc., a Georgia non-profit corporation whose mission is to provide support to a variety of non-profit organizations with priority given to education, children and youth, community building, health, the arts, environment and wildlife. The vast majority of the Foundation's giving is to support Atlanta and Atlanta-based charitable organizations in the above areas. The Zeist Foundation's principal place of business is Building 300 - Suite 195, 3715

Northside Parkway, Atlanta, Georgia, 30327.

**B. Home Telecom, LLC**

Home Telephone Company, Inc. ("HTC") is an incumbent local exchange carrier, serving 7 exchanges and approximately 23,000 subscribers in portions of rural Berkeley County, South Carolina and the Town of Harleyville (Dorchester County, South Carolina. In addition to traditional telephone service, HTC offers Internet access, including both dial-up and DSL products.

Home Wireless, Inc. is a wholly-owned subsidiary of HTC. It holds a 25% general partnership interest in the Charleston/North Charleston MSA Limited Partnership, which provides cellular service to the Charleston MSA, and the A Block LMDS license in the Charleston BTA, which currently does not provide commercial service.

Berkeley Cable Television Inc., affiliated through common ownership with HTC, provides cable television services within Berkeley County and a very limited portion of Dorchester County. All of Berkeley customers are within HTC telephone serving area.

Home Long Distance, Inc. is wholly-owned by HTC. It provides intrastate and interstate long distance services to HTC customers. In addition, Home Long Distance, Inc. serves a few customers in the Charleston metropolitan area (but none on Daniel Island).

HTC's majority shareholder, Rock Hill Telephone Company, together with its other affiliates, provides local exchange service to 11 exchanges in South Carolina, serving approximately 147,500 access lines. Rock Hill and its affiliates provide local exchange telephone services, enhanced local calling features, long distance toll services, Internet access, cable television services, and competitive local exchange services in communities neighboring incumbent local service areas. In addition, a Rock Hill and affiliates offer wireless service within a geographic area which is coextensive with certain of its and its affiliates' incumbent

telephone service areas.

Rock Hill and its local exchange company affiliates, Fort Mill Telephone Company, Lancaster Telephone Company and PBT Telecom, Inc., serve approximately 1700 square miles in and around the communities of Rock Hill, Fort Mill, Lancaster, Tega Cay, Fort Lawn, Pelion, Pond Branch, Gilbert, Wagener, Ridge Spring, and Swansea, South Carolina and certain unincorporated areas of York, Lancaster, Berkley, Chester, Dorchester, Orangeburg, Aiken, Edgefield, Calhoun, Lexington, Orangeburg, Saluda and Kershaw Counties.

Rock Hill's affiliate, Community Long Distance, Inc., offers toll service to the areas served by its local exchange affiliates. An affiliate of Community Long Distance, Inc. Springboard Telecom, LLC, also offers competitive local exchange and exchange access services to the communities of Charlotte, Gastonia, Shelby, Kings Mountain, Lincoln, Statesville, Bessemer City, Rutherfordton, and Lake Norman, North Carolina. Community Long Distance, Inc. competes with more than 20 long distance carriers for intra- and interstate toll business.

PBT Communications, Inc., an affiliated company, provides competitive local exchange services in parts of BellSouth's Batesburg-Leesville, South Carolina exchange, and in parts of ALLTEL's Lexington, South Carolina exchange. In addition, it provides domestic (intra- and interstate) and international toll services to residences and businesses located within PBT Telecom, Inc. and PBT Communications, Inc. exchanges, as well as its own exchange areas. In addition to BellSouth, PBT Communications, Inc. competes with several competitive local exchange carriers reselling BellSouth service in the Batesburg-Leesville area.

For further information on Rock Hill and its affiliates, please refer to Joint Application for Streamlined Transfer of Control of International and Domestic Section 214 Authorizations from Shareholders of PBT Telecom, Inc. and PBT Communications, Inc. to Rock Hill Telephone Company, WC Docket No. 04-38.

## **II. Description of the Proposed Transaction**

Pursuant to the Asset Purchase Agreement executed by the Parties on February 27, 2004, DIMC will sell to HOME substantially all of its assets.

Customers will continue to receive bills under the DIMC name and will continue to receive the same service quality they have come to expect from DIMC. The proposed transaction will not result in any change in the terms, conditions and price of services to DIMC's customers and thus will be transparent to consumers. Thus, by this Joint Application, Applicants respectfully request approval of this transfer.

## **III. The Proposed Transaction Will Serve the Public Interest**

Approval of the proposed transaction will serve the public interest. As a threshold matter, the proposed transaction will be seamless and transparent to customers. There will be no change in the terms, conditions and price of service, and no change in customer service. No service will be discontinued, impaired or terminated as a result of the proposed transaction. In addition, the proposed combination of the managerial abilities of HOME with the existing operations of DIMC is expected to result in a business that is better positioned to continue to provide and expand services offerings to customers in South Carolina.

The transfer DIMC's 214 to HOME will provide greater financial resources for use in the provision of service to customers. HOME is a wholly-owned subsidiary of Home Telephone Company, Inc., and has the assurance of its parent that it will be provided with the financial resources necessary to provide its services. Home Telephone Company, Inc. is a privately held company with a proven track record marked by sound financial management. It has assets totaling approximately \$56,000,000 and cash reserves of \$10,000,000. Accordingly, the proposed transaction will provide additional financial resources to support current operations as well as enabling HOME to further expand the service offerings currently available to DIMC's



customers.

Together with its parent company, HOME has extensive experience providing telecommunications services and, with the consummation of the proposed transaction, will provide additional support to DIMC's current management and employees. Applicants submit that HOME is, and will continue to be, well qualified to continue providing services to the Daniel Island community.

The proposed transaction will not have a negative impact on DIMC's technical ability to provide the services contemplated hereunder, but is expected to enhance that ability. Both DIMC and HOME have the demonstrated ability to deploy and maximize state-of-the-art telecommunications equipment and services. HOME's technical personnel, including engineers and field technicians, are well qualified to meet applicable technical requirements. Accordingly, the proposed transfer of control will not diminish DIMC's technical ability. In fact, as a result of the transfer, DIMC's technical ability will be improved.

In Summary, Applicants expect that the transfer of control of DIMC's Section 214 authorization to HOME will be virtually seamless and transparent to customers with HOME continuing to provide service in accordance with DIMC's currently effective tariffs, contracts, and service standards.

#### **IV. Information Required by Section 63.18 of the Commission's Rules**

Pursuant to Section 63.18(e)(3), Applicants submit the following information in support of this Application:

**(a) Name, address and telephone number of each Applicant:**

**Transferor**

Daniel Island Media Company LLC  
ATTN: Galen L. Oelkers, Chief Operating Officer  
Building 300 - Suite 195

3715 Northside Parkway  
Atlanta, GA 30327  
Tel: (404) 949-3163  
Fax: (404) 949-3174

**Transferee**

Home Telephone, LLC  
ATTN: William S. Helmlly  
Executive Vice President  
579 Stoney Landing Road  
Moncks Corner, SC 29461  
Tel: (843) 761-9543  
Fax: (843) 899-4548

**(b) Jurisdiction of Organizations:**

Both DIMC and HOME are South Carolina limited liability companies.

**(c) Correspondence concerning this Application should be sent to:**

For DIMC: mail to:

Dalhi N. Myers, Esq.  
Francis P. Mood, Esq.  
HAYNSWORTH SINKLER BOYD, PA  
1201 Main Street, 22<sup>nd</sup> Floor  
Columbia, South Carolina, 29201  
(803) 779-3080 - Telephone  
(803) 540-7878 - Facsimile  
[dmyers@hsblawfirm.com](mailto:dmyers@hsblawfirm.com) - Email  
[fmood@hsblawfirm.com](mailto:fmood@hsblawfirm.com) - Email

With A Copy To:

Thomas B. Hyman, Jr., Esq.  
V. Richard Hoyt, Esq.  
Sutherland, Asbill & Brennan L.L.P  
999 Peachtree Street, NE  
Atlanta, GA 30309

For HOME:

M. John Bowen, Jr., Esq.  
Margaret M. Fox, Esq.  
McNair Law Firm  
1301 Gervais Street, Suite 1100

Columbia, South Carolina  
Jbowen@mcnair.net-Email  
Pfox@mcnair.net-Email  
(803) 799-9800 - Telephone

(d) DIMC holds an international Section 214 authorization to provide global facilities-based and global resale services (See File Number ITC-214-20001010-00593). Home Long Distance, Inc. holds international authorization pursuant to File No. ITC-95-040. Other affiliates of HOME also are authorized to provide international services, as follows: Community Long Distance, Inc. (File No. ITC-95-060); PBT Communications, Inc. (File No. ITC-214-19960906-00427); and Springboard Telecom, LLC (File No. ITC-214-19881102-00766).

(e) By this Application, Applicants seek authority for a transaction that will result in the transfer of control of DIMC's international Section 214 authority to HOME.

(f) No response required.

(g) Not applicable.

(h) Name, Address, Citizenship and Principal Business of Owners with 10% or Greater Direct or Indirect Ownership Interest:

Following the close of the transaction, the following will hold a 10% or greater interest in DIMC:

<b>Name/Address/Citizenship</b>	<b>Principal Business</b>	<b>Percent of Interest Held</b>
Estate of George W. Brumley, Jr.	N/A	50%
Estate of Jean S. Brumley	N/A	50%

Following the close of the transaction, the following will hold a 10% or greater interest in HOME:

HOME is a wholly owned subsidiary of Home Telephone Company, Inc., 579 Stoney Landing Road, Moncks Corner, SC 29461. Home Telephone Company, Inc., a South Carolina corporation, is principally engaged in the provision of telecommunications services. The ownership of Home Telephone Company, Inc. is as follows:

<u>Name &amp; Address</u>	<u>% Equity</u>	<u>Citizenship</u>	<u>Principal Business</u>
Rock Hill Telephone Company PO Box 470 Rock Hill, SC 29731	47.83	SC Corp.	Telecommunications

No other person owns a 10% or more interest in Home Telephone Company, Inc.

Rock Hill Telephone Company is owned as follows:

<u>Name &amp; Address</u>	<u>Equity</u>	<u>Citizenship</u>	<u>Principal Business</u>
Frank S. Barnes PO Box 470 Rock Hill, SC 29731	17.34%	USA	telecommunications
Estate of John M. Barnes Jean D. Barnes and Frank S. Barnes, Jr., Personal Representatives PO Box 470 Rock Hill, SC 29731	17.33%	USA	testamentary devise
E.L. Barnes PO Box 470 Rock Hill, SC 29731	17.33%	USA	telecommunications
LAB Associates, LP 104 E. Summersby St. Fort Mill, SC 29715	48%	US	investments

The general partners of LAB Associates, LP are Ladson A. Barnes, Jr. and M. Rebecca B.

Francis, all US citizens. The majority owner of the partnership is the Trust under Will of Ladson A. Barnes, Sr., (trustees, Ladson A. Barnes, Jr., Ladson A. Barnes, III and Frank S. Barnes). The Trust owns 77.3844671% of the partnership. Other than Ladson A. Barnes, Jr., who owns 10.3% of LAB Associates, LP in his individual capacity, there are no other holders with derivative ownership interest of 10% or more in LAB Associates, LP, a South Carolina limited partnership.

Other than the foregoing, following the transaction, no other person or entities will directly or indirectly own ten percent (10%) or more of the equity of Applicants. Applicants have no interlocking directors with foreign carriers.

(i) Applicants certify that they are not, and subsequent to the transaction will not be, affiliated with any foreign carrier within the meaning of Section 63.09(d) and (e).

(j) Applicants certify that they do not seek authority to provide service to any country described in paragraphs (1) through (4) of Section 63.18(j).

(k) Not applicable.

(l) Not applicable.

(m) Not applicable.

(n) Applicants certify that they have not agreed to accept special concessions directly or indirectly from any foreign carrier with respect to any U.S. international route where the foreign carrier possesses market power on the foreign end of the route and will not enter into such agreements in the future.

(o) Applicants certify pursuant to Sections 1.2001 through 1.2003 of the Commission's rules, 47 C.F.R. §§ 1.2001-1.2003, that no party to the Application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988.

(p) This international Section 214 Application qualifies for streamlined processing pursuant to Section 63.12 because Applicants are not affiliated with any foreign carriers; will not

through the proposed transaction become affiliated with any foreign carriers; are not affiliated with any dominant U.S. carriers whose international switched or private line services Applicants seek to resell; and do not seek authority to provide switched base serviced over private lines to a country for which the Commission has not previously authorized the provisions of switched services over private lines. This Application should therefore be granted, according to Section 63.12(a), fourteen days after the date of the public notice listing the Application as accepted for filing.

**V. Additional Information Required by Section 63.04 of the Commission's Rules**

Pursuant to Section 63.04 of the Commission's Rules, 47 C.F.R. § 63.04, Applicants further request authority to transfer control of DIMC's blanket domestic Section 214 authority from DIMC to HOME. Applicants are filing a joint application to assign the authorizations pursuant to Section 63.04(b) of the Commission's Rules, 47 C.F.R. § 63.04(b). Applicants provide the following information in support of their request: -

**63.04(b)(6): Description of the Transaction**

The proposed transaction is described above in Section II.

**63.04(b)(7): Description of Geographic Service Area and Services in Each Area**

DIMC offers its customers a variety of regulated and unregulated services, including switched local service, long distance, international long distance, and Internet access DIMC offers service on Daniel Island, Charleston, South Carolina.

**63.04(b)(8): Qualification for Streamlined Processing.**

This Application is entitled to streamlined processing under Section 63.03(b)(2) (ii) of the Commission's Rules because (a) the proposed transfer would result in HOME subsidiaries having a market share in the interstate, interexchange market of less than 10 percent; (b) HOME would provide competitive telephone exchange and exchange access service exclusively in a

geographic area served by a dominant local exchange carrier that is not a party to the transaction; and (c) the non-dominant carrier applicant, DIMC, provides services exclusively outside the geographic area where HOME affiliates are dominant.

No party is affiliated with a facilities-based domestic toll carrier. All domestic toll services are offered through the resale of the services of unaffiliated, facilities-based exchange carriers. After the proposed transaction, HOME and its affiliates will continue to have less than one percent (1.0%) of the interstate, interexchange market.

The proposed transaction between a dominant carrier (HOME) and a non-dominant carrier (DIMC) occur wholly outside of HOME's areas of dominance. The proposed acquisition is confined to the DIMC service territory of Daniel Island, a community in the Charleston, South Carolina area. BellSouth is the incumbent telephone company and dominant telephone exchange and exchange access service provider in the entire Charleston, South Carolina market. Clearly, HOME is not the dominant carrier in the subject geographic area.

The proposed transaction will have no adverse effect on competition. The Applicants' markets are individually and collectively so small that the proposed transaction will have no perceptible effect on competition. Accordingly, the proposed transaction is entitled to streamlined treatment.

**63.04(b)(9): Other Pending Commission Applications Concerning the Proposed Transaction**

There are no other applications pending before the Commission concerning this proposed transaction.

**63.04(b)(10): Special Consideration**

None.

**63.04(b)(11): Waiver Requests (If Any)**

None.


**63.04(b)(12): Public Interest Statement**

The proposed transaction is in the public interest for the reasons detailed in Section III above.

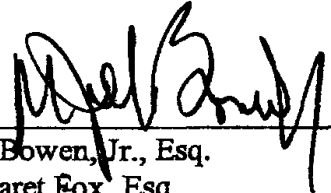
**VI. Conclusion**

Based on the foregoing, Commission approval of the transfer of control set forth in this Application will serve the public interest, convenience and necessity. Accordingly, Applicants respectfully request that the Commission grant this Application as expeditiously as possible through its streamlined processing procedures.

Respectfully submitted this 11<sup>th</sup> day of May, 2004.

  
\_\_\_\_\_  
Dalhi N. Myers, Esq.  
Francis P. Mood, Esq.  
HAYNSWORTH SINKLER BOYD, P.A.  
1201 Main Street, 22<sup>nd</sup> Floor  
(803) 779-3080 - Telephone  
(803) 540-7878 - Facsimile  
[dmyers@hsblawfirm.com](mailto:dmyers@hsblawfirm.com) - Email  
[fmood@hsblawfirm.com](mailto:fmood@hsblawfirm.com) - Email

**Counsel for DIMC**

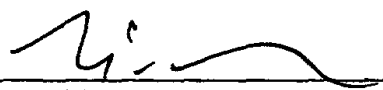
  
\_\_\_\_\_  
John Bowen, Jr., Esq.  
Margaret Fox, Esq.  
McNAIR LAW FIRM  
1301 Gervais Street, Suite 1100  
(803) 799-9800- Telephone  
[jbowen@mcnair.net](mailto:jbowen@mcnair.net)- Email  
[pfox@mcnair.net](mailto:pfox@mcnair.net) - Email

**Counsel for HOME**



**DECLARATION OF WILLIAM S. HELMLY**

I, William S. Helmly, do hereby declare under penalty of perjury that I am Executive Vice President of Home Telecom LLC; that I have read the foregoing " Joint Application to Transfer Control of Section 214 Authorization," and that the facts stated therein are true to the best of my knowledge, information and belief.

By:   
William S. Helmly

5/11/2004  
Date

**Certification**

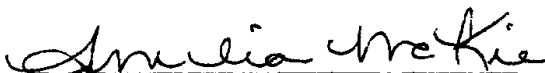
I, Galen L. Oelkers, Chief Operating Officer of Daniel Island Media Company LLC, do hereby declare, under penalties of perjury that I have read the foregoing **Joint Application To Transfer Control of Section 214 Authorization**, and that the information contained herein as it relates to Daniel Island Media Company, LLC is true and accurate to the best of my knowledge, information, and belief.

Date: 5-11-04

  
\_\_\_\_\_  
Galen L. Oelkers, Chief Operating Officer

**Certificate of Service**

I, Amelia McKie, the undersigned employee of Haynsworth Sinkler Boyd, P.A., do hereby certify that on this 11<sup>th</sup> day of May, 2004, a copy of the foregoing **Joint Application to Transfer Control of Section 214 Authorization** has been served, via first class mail, postage prepaid, upon the following on the 11<sup>th</sup> day of May, 2004 as shown below:

  
Amelia McKie

The Honorable Mark Sanford,  
Governor of South Carolina  
Office of the Governor  
P.O. Box 12267  
Columbia, SC 29211

The US Department of Defense  
Assistant Secretary of Defense for C31  
1000 Defense Pentagon, Room 3E172  
Washington, D.C. 20301

The US Department of State  
EB/CIP/SCA  
Room 4826  
2201 C Street, N.W.  
Washington, DC 20520